

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:09CR164-P-S

WILLIAM DONALD DUNN,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's third Motion for Continuance [24]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for June 14, 2010. Defense counsel requests a continuance to afford more time to accommodate the defendant's surgery on his colon. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from June 14, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant additional time to be able to stand trial. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's May 27, 2010 Motion for Continuance [24] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, August 30, 2010 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from June 14, 2010 to August 30, 2010 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is August 9, 2010; and

(5) The deadline for submitting a plea agreement is August 16, 2010.

SO ORDERED this the 27th day of May, A.D., 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE